

COUNTY OF YORK

MEMORANDUM

DATE: December 17, 2002 (BOS Mtg. 1/21/03)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Draft resolution authorizing boundary line adjustment with property owned by the County and the Trustees of the Town of York, and the conveyance to the Trustees of certain property in connection therewith

As you are aware, the latest proposed plan for the development of the Yorktown waterfront shows a new restaurant building located partly on property owned by the County, and extending partly onto property owned by the Trustees of the Town of York. At its meeting of January 6, 2003, the Trustees will be considering a proposed revision to the joint agreement between the County and the Trustees (regarding the development of the Yorktown waterfront) which will incorporate the revised plan. In order to resolve the issue posed by a commercial structure sitting astride both parcels, the Trustees have proposed a boundary line adjustment, relocating the common boundary line between the County's property and the Trustees' property as shown on the attached Exhibit A. The proposed relocated boundary line is shown in yellow and a broken red line shows the existing boundary line of the Trustees' property. The adoption of proposed resolution R03-08 will authorize the County Administrator to execute whatever documents are necessary to effect the boundary line adjustment, and convey to the Trustees a portion of the County's property, and to accept from the Trustees a portion of the Trustees' property, such reciprocal conveyance being necessary to relocate the boundary line as shown. Because the adjustment will involve a conveyance of County-owned property, this matter has been scheduled for a public hearing in accordance with Code of Virginia § 15.2-1800.

For your information, the actual boundary line adjustment is contingent upon the abandonment by the Commonwealth of Virginia of a 20' strip of land (designated in green on the attached exhibit) which actually separates the County's property and the Trustees' property, and in which is located a drainage pipe and a concrete drainage ditch. Conversations with Steven W. Hicks of the VDOT Williamsburg Residency Office indicate that the Commonwealth is anxious to cooperate with the County in this matter. He has asked that the County provide VDOT with construction plans showing a suitable relocation of the drainage ditch and pipe, and enter into an agreement with VDOT either to convey to the Commonwealth a new drainage easement or perhaps instead simply to agree with VDOT that the County will hereafter maintain the drainage ditch and pipe at the County's expense. Robert S. Kraus, Director of Yorktown Development, advises me that the relocation of the pipe and ditch will not pose any significant engineering difficulties, and he anticipates being able to present VDOT with suitable plans prior to January 1, 2003. The attached resolution is therefore made contingent upon the conveyance by the Commonwealth to the County of the 20' strip in question.

I recommend the adoption of proposed Resolution R03-8.

Barnett/3340:swb

Attachments

? Exhibit A

? Proposed Resolution R03-8